

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

FUTURE SANITATION, INC.,

Plaintiff,

v.

EVERGREEN NATIONAL INDEMNITY  
COMPANY and MARTIN STERNBERG,

Defendants.

Civil Action No.

3:17-CV-03471-MAS-TJB

**DECLARATION OF JOSEPH  
DESAYE**

EVERGREEN NATIONAL INDEMNITY  
COMPANY,

Defendant/Counterclaimant,

v.

FUTURE SANITATION, INC. and  
BRYAN ALOIA,

Counterclaim Defendants.

I, Joseph DeSaye, submit this declaration in accordance with 28 U.S.C. 1746:

1. I am an adult. I make the following statements based on personal knowledge.
2. I loaned money to Future Sanitation, Inc, and was therefore a creditor of Future.
3. I was involved in a lawsuit with Future to recover my note. I recently settled my dispute with Future. Future will pay me in the event it reaches a settlement or obtains a

judgment against Evergreen. Prior to the settlement, I refused to talk to Future or Future's attorneys. Since the settlement, I have recently begun to talk to Bryan Aloia of Future and to Future's attorney, Glen Diehl.

4. In 2015, I participated in meetings with management of Future, Future's attorney and another creditor of Future, Martin Sternberg. One meeting occurred on August 29, 2015.

5. The meeting on August 29, 2015 was attended by myself, Bryan Aloia, John Chiaia (Future's attorney) Marty Sternberg and John Silvestri. A summary of the minutes of the meeting are attached hereto as Exhibit 1. The attached summary accurately reflects the information discussed at the meeting.

6. One of the topics we discussed was the liquidation value of the assets of Future. As a group, we determined that the minimum liquidation value of the assets of Future was between \$6 – 6.5 Million. See Exhibit 1, pages labeled STERNBERG\_000345 – STERNBERG\_000346.

7. At the meeting, I stated that a minimum liquation value of the assets of Future between \$6 – 6.5 Million was reasonable. The other creditor of Future at the meeting, Martin Sternberg, also stated that the valuation of Future's assets between \$6 – 6.5 Million was reasonable.

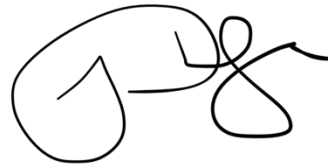
8. Following the meeting, on August 31, 2015, I circulated an email concerning the meeting. A copy of this email is attached as Exhibit 2.

9. In the email, I asked the participants in the meeting, including Martin Sternberg to approve the minutes of the August 29, 2015 meeting. I instructed the participants to "make adjustments if needed." Exhibit 2.

10. Later, on August 31, 2015, I received an email from Martin Sternberg.  
Exhibit 2. In his email, Mr. Sternberg stated “Looks good.”

I declare under penalty of perjury under the laws of the United States of America  
that the foregoing is true and correct.

Executed on November 15, 2018.

A handwritten signature in black ink, appearing to read 'Joseph DeSaye', written over a horizontal line.

\_\_\_\_\_  
Joseph DeSaye